

Windows 3.1, 1997 by Boutell.com, Inc. URL: <http://www.boutell.com/mapedit>, pp.1-19 ("Mapedit"). Claims 17, 18, 26 and 27 have been canceled.

Claim 1, as amended, recites a method whereby an area and an action are defined, thereby defining a "hot spot", on a specific layer of an electronic artwork comprised of a plurality of layers. The claim recites receiving user input selecting a layer in the electronic artwork, wherein the selected layer has content including one or more non-transparent regions in a transparent frame. The claim further recites defining an area (for the hot spot) by automatically determining a perimeter boundary of the one or more non-transparent regions. An action is then assigned to the area, and the area and the action (which together define the "hot spot") are associated with the layer as a property of the layer.

The method by which the area is defined is advantageous. A user need only select a layer and the area can be automatically defined (Specification, p. 6, lines 1-6, p. 7, lines 3-7). The area is automatically defined by determining a perimeter boundary of the one or more non-transparent regions comprising the selected layer (p. 7, lines 5-7).

By contrast, as stated by the Examiner, "Mapedit teaches a method of creating a polygon-shaped area on a graphics file by creating boundaries via a mouse, said boundaries created until an enclosed polygon is created." Mapedit does not automatically determine a perimeter boundary. Rather, Mapedit requires a user to manually draw a shape defining the area on a graphics file. By contrast, the method recited in claim 1 does not require the user to draw the boundary; rather, once a layer is selected, the area is defined automatically by determining a perimeter boundary of the one or more non-transparent regions.

The applicant respectfully submits that nothing in Mapedit discloses or suggests defining a hotspot area by automatically determining a perimeter boundary for non-transparent regions in a selected layer, as amended claim 1 requires. Accordingly, no prima facie case of obviousness based on Mapedit is established, and claim 1 is allowable over that reference.

Dependent claims 2-4, 13, 29, and 31-37 are based on claim 1 and are therefore allowable for at least the reasons discussed above. Claims 36 and 37 are independently allowable for at least the following additional reasons.

New claims 36 and 37 are directed to additional features that are not exhibited by Mapedit. Holes included within an automatically determined perimeter boundary of one or more

non-transparent regions can be automatically included within the area, as recited in claim 36. Alternatively, the method recites automatically determining one or more separate perimeter boundaries for the one or more non-transparent regions, such that the holes are not included within the separate perimeter boundaries, as claim 37 recites. Advantageously, the user is not required to tediously define an area so as not to include holes, because the area is automatically defined, as opposed to Mapedit which requires the user to manually draw a boundary for the area. Neither of these limitations is disclosed or suggested by Mapedit. Accordingly, claims 36 and 37 are therefore allowable for at least these additional reasons.

Independent claim 5 recites a computer program product having similar features to claim 1. It and dependent claims 6-9, 20-22, 24, 25 and 38-44, which depend from claim 5, are allowable for at least the reasons discussed above in the context of claim 1. Claims 6, 43, and 44 are similarly computer program product claims incorporating limitations analogous to method claims 28, 36, and 37, respectively, and are therefore allowable for at least the additional reasons discussed above in the context of those claims.

2. Rejections over Mapedit and White

Claims 12 and 21 are rejected as obvious under 35 U.S.C. § 103(a) over Mapedit and White. Claims 12 and 21 are dependent claims based on claims 1 and 5, respectively, and therefore incorporate all of the limitations of those claims. As discussed above, Mapedit neither discloses nor suggests at least the definition of a hotspot area based on the automatic determination of a perimeter boundary of non-transparent regions in a selected image layer, which both claims expressly require. The applicant submits that White is equally lacking of any such disclosure or suggestion. Accordingly, claims 12 and 21 are allowable over Mapedit and White for at least the reasons discussed above in the context of claim 1, and should therefore be allowed.

3. Rejections over Mapedit and Nielsen

Claims 15, 16, 24, 25 and 26 are rejected as obvious under 35 U.S.C. § 103(a) over Mapedit and Nielsen. Claim 16 has been canceled. Claims 15, 16, 24 and 25 are dependent claims based on claims 1 (claims 15 and 16) and 5 (claims 24 and 25), and therefore incorporate

all of the limitations of those claims. As discussed above, Mapedit neither discloses nor suggests at least the definition of a hotspot area based on the automatic determination of a perimeter boundary of non-transparent regions in a selected image layer, which both claims expressly require. The applicant submits that Nielsen is equally lacking of any such disclosure or suggestion. Accordingly, claims 15, 16, 24 and 25 are allowable over Mapedit and Nielsen for at least the reasons discussed above in the context of claim 1, and should therefore be allowed.

4. Rejection over Mapedit and Habermehl

Claim 28 is rejected as obvious under 35 U.S.C. § 103(a) over Mapedit and Habermehl. Amended claim 28 further amplifies the difference between the methods described in the applicant's specification and the Mapedit reference. That claim expressly recites that the definition of the hotspot area includes automatically fitting a shape to the perimeter boundary, such that the fitted shape defines the area. As discussed above, Mapedit contains no disclosure or suggestion of defining a hotspot area by automatically determining a perimeter boundary for non-transparent regions in a selected image layer. Habermehl is equally lacking in any such disclosure or suggestion. Accordingly, the applicant submits that claim 28 is allowable over Mapedit and Habermehl for at least the reasons discussed above in the context of claim 1.

Moreover, the applicant submits that nothing in Mapedit or Habermehl discloses or suggests fitting a shape to a perimeter boundary of non-transparent regions in an image layer as this claim thus requires. Rather, in Mapedit the user defines the hotspot area by manually drawing a desired shape, as described above, while Habermehl teaches a method whereby "the user defines the specified region by selecting points within the region by performing an act such as randomly clicking an input device such as a mouse, associated with a cursor, within the specified region" (Col. 3, lines 22-25). For at least this reason, too, claim 28 is therefore allowable over Mapedit and Habermehl, and should be allowed.

Applicant : Jeffrey H. Michael and Douglas K. Olson
Serial No. : 09/058,496
Filed : April 10, 1998
Page : 10

Attorney Socket No.: 07844-273001 / P247

5. Conclusion

The applicant respectfully submits that all claims are now in condition for allowance, and therefore asks that all claims be allowed. A marked-up version of the changes made by the current amendment is attached. Enclosed is a \$126.00 check for excess claim fees. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 9/21/07



Timothy A. Porter
Reg. No. 41,258

Fish & Richardson P.C.
2200 Sand Hill Road, Suite 100
Menlo Park, California 94025
Telephone: (650) 322-5070
Facsimile: (650) 854-0875

Version with markings to show changes made

In the claims:

Claims 17, 18, 26, and 27 have been cancelled.

Claims 1, 5, 6, 12, 15, 21, 24, and 28 have been amended as follows:

1. A method comprising:

receiving from a user an input selecting a layer in an electronic artwork having a plurality of layers, the selected layer having content [consisting of] including one or more non-transparent regions in a transparent frame;

for the selected layer of the artwork, defining an area [based on a] by automatically determining a perimeter boundary of the one or more non-transparent regions [in combination];

assigning an action to the area, the action defining a function that is to be activated when the area is selected; and

associating the area and the action with the selected layer as a property of the selected layer in the electronic artwork.

5. A computer program, tangibly stored on a computer-readable medium, comprising instructions for causing a computer to:

receive an electronic artwork having a plurality of layers, each layer having transparency information defining one or more non-transparent regions in the layer in a transparent frame;

receive from a user an input selecting one of the plurality of layers;

for the selected layer of the artwork, define an area [based on a] by automatically determining a perimeter boundary of the one or more non-transparent regions [in combination];
and

assign an action to the area, the action defining a function that will be activated when the area is selected.

6. The computer program of claim 5, further comprising instructions to:
[convert the non-transparent region into a perimeter boundary path; and]
automatically fit a [user-selected] shape to the perimeter boundary [path], wherein the shape defines the area.
12. The method of claim 1, further comprising:
[conforming] re-defining the area automatically [to] if the content of the selected layer [when] of the electronic artwork is edited to conform to a new perimeter boundary of the one or more non-transparent regions.
15. The method of claim 1, wherein:
the selected layer has two or more non-contiguous non-transparent regions in a transparent frame; and
the area is defined [based on the] by automatically determining a perimeter boundary of the non-transparent regions in combination.
21. The computer program of claim 20, further comprising instructions for causing a computer to:
re-define [conform] the area automatically [to] if the content of the selected layer [when] of the electronic artwork is edited to conform to a new perimeter boundary of the one or more non-transparent regions.
24. The computer program of claim 5, wherein:
the layer has two or more non-contiguous non-transparent regions in a transparent frame;
and
the area is defined [based on the] by automatically determining a perimeter boundary of the non-transparent regions in combination.

Applicant : Jeffrey H. Michael and Douglas K. Olson
Serial No. : 09/058,496
Filed : April 10, 1998
Page : 13

Attorney [REDACTED]ocket No.: 07844-273001 / P247

28. The method of claim 1, wherein:

defining the area further comprises [converting each non-transparent region to a perimeter boundary path and] automatically fitting a [user-selected] shape to the perimeter boundary [path], wherein the shape defines the area.